

Remarks

Claims 1-48 and 50-51 are pending in the application. Certain claims have been amended herein to explicitly recite limitations discussed with the Examiner during a telephone interview on October 31, 2003. Reconsideration is respectfully requested.

Interview

Applicants thank the Examiner for his time and consideration during our October 31, 2003 interview wherein we discussed the differences between the presently claimed invention and the Watanabe reference. As we discussed, we have prepared and include a § 132 Declaration from an expert in photoacoustic spectroscopy. The Declaration discusses the issues discussed during the interview. Consideration of the Declaration is respectfully requested.

Rejection of Claims

Claims 1-51 were rejected by the Examiner as allegedly being obvious in view of Watanabe et al., U.S. Patent Number 4,436,428. Applicant's traverse this rejection.

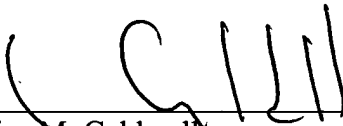
As discussed in depth in the accompanying Section 132 Declaration of Stephen Edward Bialkowski, an expert in the field of photoacoustic spectroscopy, Watanabe neither teaches nor suggests the presently claimed invention. The invention disclosed and claimed in the present application detects an acoustic signal. Despite the "photoacoustic spectroscopy" language used in the Watanabe reference, Watanabe does not teach or suggest a device that detects an "acoustic signal" as it is known to those of ordinary skill in the art. Please review the accompanying Declaration for further discussion of this issue.

Because for at least those reasons discussed above and in the Declaration, Watanabe neither teaches nor suggests the presently claimed invention, the application is allowable and notification to that effect is respectfully requested.

Respectfully submitted,

KLARQUIST SPARKMAN, LLP

By



Lisa M. Caldwell
Registration No. 41,653

One World Trade Center, Suite 1600
121 S.W. Salmon Street
Portland, Oregon 97204
Telephone: (503) 226-7391
Facsimile: (503) 228-9446